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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,147	04/20/2001	Zsolt Kun-Szabo	004770.00778	9518
22907 7590 09/11/2009 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER IQBAL, KHAWAR	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 09/11/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/838,147	<b>Applicant(s)</b> KUN-SZABO ET AL.	
	<b>Examiner</b> KHAWAR IQBAL	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20, 25, 26 and 28-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 25, 26, 28-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06-17-09 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20, 25, 26, 28-43 are rejected under 35 U.S.C. 102(e) as being anticipated by So (20080307040).

Regarding claim 1 So teaches a method comprising:

connecting a first mobile terminal (remote visitor device) to an external communication network, via a wireless communication network, for accessing a resource (para. # 0045 and 0054);

receiving a request from a user of the first mobile terminal for information relating to the resource (a visitor logs onto a web site of an ECRM chat server, para. # 0054);

receiving the requested information at the first mobile terminal responsive to the request (the uniform resource locator (URL) for the merchant web site may be entered into the URL entry field of the browser residing on the visitor's remote device, para. # 0054, 0056);

receiving a selection input from the first mobile terminal indicating the requested information to be transmitted to a second mobile terminal (para. # 0056, 0060, 0064-0066); and

negotiating a communication connection between the first and the second mobile terminals responsive to the selection input, the negotiating including the first mobile terminal establishing a communication connection with the second mobile terminal (chat messages displayed in chat window 415 also displaying all visitor devices, para. # 0056, 0064-0067);

transferring the resource related information to the second mobile terminal over the communication connection (para. # 0066, 0071-0072).

Regarding claim 2 So teaches wherein the second terminal is also a client of a server connected to the external network and the information facilitates access to an external network resource by the second terminal (para. # 0054, 0077).

Regarding claim 3 So teaches wherein the information comprises a URL (para. # 0054).

Regarding claim 4 So teaches wherein the information comprises browser settings for use by the second terminal (para. # 0066, 0071-0072).

Regarding claim 5 So teaches wherein the information has been previously downloaded from the external network (para. # 00654, 0056).

Regarding claim 6 So teaches wherein the information comprises a web page (para. # 0066, 0071-0072).

Regarding claim 7 So teaches wherein the negotiation of the connection includes specifying the bearer to be used in transporting the information to the second terminal (para. # 0064-0066, 0071-0072).

Regarding claim 8 So teaches wherein the bearer is specified in accordance with a pre-determined user preference (para. # 0066, 0071-0072).

Regarding claim 9 So teaches wherein the connection is made via the wireless communication network (fig.1, para. # 0066, 0071-0072).

Regarding claim 10 So teaches wherein the connection is made directly between the terminals (para. # 0066, 0071-0072, well-known to the skilled in the art).

Regarding claim 11 So teaches wherein the connection comprises an infrared link (para. # 0066, 0071-0072, well-known to the skilled in the art).

Regarding claim 12 So teaches wherein the connection comprises a low power radio frequency link (para. # 0054-0056, 0066, 0071-0072).

Regarding claim 13 So teaches wherein the negotiation of the connection comprises sending a request from the first terminal to the second terminal for approval

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to establish a connection between the terminals and on receiving approval from the second terminal establishing the connection (para. # 0054, 0066, 0071-0072).

Regarding claim 14 So teaches wherein both terminals are using a Wireless Application Protocol and the request is sent to the second terminal using a connectionless push command (para. # 0119-0124).

Regarding claim 15 So teaches wherein the connection is established using a bearer indicated in the connectionless push command (para. # 0101-0102).

Regarding claim 16 So teaches wherein the external network resource is a server (para. # 0054, 0066, 0071-0072).

Regarding claim 17 So teaches wherein both terminals are using a Wireless Application Protocol and the resource related information comprises a WAP deck (para. # 0054, 0119-0124).

Regarding claim 18 So teaches wherein the transfer of the WAP deck to the second terminal includes the step of substituting the WAP deck with a pre-existing WAP deck on the second terminal (para. # 0119-0124).

Regarding claim 19 So teaches wherein the pre-existing WAP Deck is deleted following the substitution step (para. # 0119-0124).

Regarding claim 20 So teaches wherein the external network is the Internet (para. # 0054, 0119-0124).

Regarding claim 25 So teaches an apparatus comprising: a controller configured to receive user-selected information related to a resource via a wireless communication network and to send the resource related information to a wireless terminal, wherein the

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controller is further configured to negotiate a connection with the wireless terminal and subsequently to send the resource related information selected by the user over the connection, wherein the apparatus comprises a wireless communication terminal, wherein the controller is configured to send the resource related information to the wireless terminal via a push command (para. # 0054-0056, 0066, 0071-0072).

Regarding claim 26 So teaches wherein the controller is configured to operate in accordance with a Wireless Application Protocol (para. # 0054, 0119-0124).

Regarding claim 27 So teaches wherein the apparatus comprises a cellular radio telephone (para. # 0054, 0119-0124, fig. 1).

Regarding claim 29 So teaches wherein the external communication network comprises the Internet (para. # 0054, 0119-0124).

Regarding claim 30 So teaches wherein the information related to the resource comprises content of the resource (para. # 0054, 0056, 0119-0124).

Regarding claim 31 So teaches wherein the information related to the resource comprises a link to the resource (para. # 0054, 0056, 0119-0124).

Regarding claim 32 So teaches further comprising choosing a bearer for sending the resource related information (para. # 0054, 0056, 0119-0124).

Regarding claim 33 So teaches further comprising selecting the second mobile terminal based on a list providing association between terminal contact information and recipient information (para. # 0054, 0056, 0119-0124).

Regarding claim 34 So teaches wherein the second mobile terminal is not capable of handling the external resource contents (para. # 0054, 0056, 0119-0124).

Regarding claim 35 So teaches a method, comprising:

connecting a first mobile terminal, via a wireless communication network, to an external communication network for accessing a resource, wherein the first mobile terminal uses a Wireless Application Protocol (WAP) (para. # 0054, 0056, 0119-0124);

receiving at the first mobile terminal a user input selecting information relating to the resource, wherein the resource related information comprises a WAP deck (para. # 0054, 0056, 0119-0124);

negotiating a communication connection between the first mobile terminal and a second mobile terminal, wherein the second mobile terminal uses the Wireless Application Protocol (para. # 0054, 0056, 0066, 0119-0124); and

transferring the resource related information to the second mobile terminal over the communication connection, wherein the transferring of the WAP deck includes replacing and subsequently deleting a pre-existing WAP deck on the second mobile terminal (para. # 0054, 0056, 0071-0074, 0119-0124).

Regarding claim 36 So teaches wherein the resource related information is transferred via a Short Message Service (para. # 0054, 0056).

Regarding claim 37 So teaches wherein the resource related information transfer is comprised of a plurality of SMS text messages (para. # 0054, 0056, 0071-0074, 0119-0124).

Regarding claim 38 So teaches wherein an SMS text message is comprised of a URLCard (para. # 0054, 0056, 0119-0124).



Regarding claim 39 So teaches an apparatus as claimed in claim 25, wherein the sending of the resource related information to the wireless terminal is conducted via a Short Message Service (para. # 0054, 0056, 0071-0074, 0119-0124).

Regarding claim 40 So teaches wherein the sending of the resource related information is comprised of a plurality of SMS text messages (para. # 0054, 0056, 0071-0074, 0119-0124).

Regarding claim 41 So teaches wherein an SMS text message is comprised of a URLCard (para. # 0054, 0056, 0071-0074, 0119-0124).

Regarding claim 42 So teaches one or more tangible computer storage media storing computer executable instructions that, when executed at a first mobile terminal, perform:

- connecting the first mobile terminal to an external communication network, via a wireless communication network, for accessing a resource (para. # 0054, 0056);

- receiving a request from a user of the first mobile terminal for information relating to the resource (para. # 0054, 0056);

- receiving the requested information at the first mobile terminal responsive to the request (para. # 0054, 0056, 0071-0074);

- receiving a selection input at the first mobile terminal indicating the requested information to be transmitted to a second mobile terminal (para. # 0054, 0056, 0071-0074, 0119-0124);

negotiating a communication connection between the first and the second mobile terminals responsive to the selection input, the negotiating including the first mobile terminal establishing a communication connection with the second mobile terminal; and transferring the resource related information to the second mobile terminal over the communication connection (para. # 0054, 0056, 0066, 0071-0074, 0119-0124).

Regarding claim 43 So teaches wherein the push command is a WAP push command (para. # 0119-0124).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20, 25-26, 28-43 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is (571)272-7909. The examiner can normally be reached on 9 am to 6.30 pm Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/  
Supervisory Patent Examiner, Art Unit 2617

/K. I./  
Examiner, Art Unit 2617